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February 9, 2010

**(via electronic filing)**

The Honorable M. Bruce McCullough  
5464 US Steel Tower  
600 Grant Street  
Pittsburgh, PA 15219  
Facsimile: 412-644-4331  
*Attention: Debbie Daum*

In Re: Max & Erma's Restaurant, Inc., Bankruptcy No. 09-27807-MBM  
Motion to Extend Time to Assume or Reject Unexpired Leases of  
Nonresidential Real Property, Doc. No. 333  
Hearing Date and Time: None Scheduled Yet

**WITHDRAWAL OF PENDING MOTION**

Dear Judge McCullough:

I represent Max & Erma's Restaurant, Inc. Please withdraw the pending Motion to Extend Time to Assume or Reject Unexpired Leases of Nonresidential Real Property, filed at Doc. No. 333, which was filed on February 8, 2010. A revised Motion to Extend Time to Assume or Reject Unexpired Leases of Nonresidential Real Property was filed at Doc. No. 334 today.

Respectfully,



Elsie R. Lampl

c: Max & Erma's Restaurant, Inc.